



## **AGENDA**

### CITY COMMISSION OF THE CITY OF WARRENTON REGULAR MEETING

February 9, 2021– 6:00 P.M.

Warrenton City Commission Chambers – 225 South Main Avenue  
Warrenton, OR 97146

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Public Meetings will be conducted in the Commission Chambers with a limited seating arrangement. To adhere to social distancing recommendations, meetings will now also be audio and video live streamed. Go to <https://www.ci.warrenton.or.us/administration/page/live-stream-public-meetings> for connection instructions.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. City Commission Meeting Minutes – 1.12.21
- B. Monthly Finance Report – December 2020

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

4. **COMMISSIONER REPORTS**

*Proclamation – Career and Technical Education Month*

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the City Recorder prior to the meeting. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Recorder, at [cityrecorder@ci.warrenton.or.us](mailto:cityrecorder@ci.warrenton.or.us), no later than 5:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. **PUBLIC HEARINGS** – None

7. **BUSINESS ITEMS**

A. Consideration of FEMA Grants – Fire Department

B. Consideration of Regional Grant with Clatsop County Fire Departments, FEMA Assistance to Firefighters Grant Program

C. Consideration of Resolution No. 2588; Formally Declaring an End to Grandfathering of Vacation Rentals in Residential Zones

D. Consideration of Adoption of Policies & Procedures for Citizen Boards

E. Consideration of Resolution No. 2589; Creating Warrenton Marinas Advisory Committee

F. Consideration of Resolution No. 2590; Appointing Members to the Marina Advisory Committee

8. **DISCUSSION ITEMS** – None

9. **GOOD OF THE ORDER**

10. **EXECUTIVE SESSION**

11. **ADJOURNMENT**

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

# **PROCLAMATION**

## ***Career and Technical Education Month***

**WHEREAS:** February 1-28, 2021, has been designated Career and Technical Education Month® by the Association for Career and Technical Education; and

**WHEREAS:** career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness

**WHEREAS:** students in career and technical education programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

**WHEREAS:** career and technical education at community colleges will prepare Oregonians to return to work as Oregon's economy recovers from COVID-19 and wildfire devastation; and

**WHEREAS:** Oregon's community colleges will serve critical roles in the state's economic recovery from COVID-19 and wildfires, particularly in assisting systemically marginalized Oregonians who have been the most adversely impacted by these challenges; and

**WHEREAS:** leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields, including healthcare, energy, advanced manufacturing, transportation and information technology; and

**WHEREAS:** career and technical education programs ensure that employers have access to a qualified and thriving workforce, ensuring Oregon has a strong and competitive economy;

**NOW, THEREFORE, BE IT RESOLVED** that I, Henry A. Balensifer III, Mayor of Warrenton, Oregon, do hereby proclaim February 1-28, 2021, as Career and Technical Education Month; and

**BE IT FURTHER RESOLVED** that the Warrenton City Commission encourages all citizens to become familiar with the services and benefits offered by the career and technical education programs at Clatsop Community College, and to support and participate in these programs to enhance their individual skills and productivity, and to help Oregon's economy thrive again.

**IN WITNESS WHEREOF**, I have here unto set my hand and caused to be affixed the Seal of the City of Warrenton, Oregon to be affixed this 9<sup>th</sup> day of February, 2021.

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Henry A. Balensifer III, Mayor

ATTEST:

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Dawne Shaw, City Recorder

MINUTES  
 Warrenton City Commission  
 January 12, 2021  
 6:00 p.m.  
 Warrenton Community Center  
 170 SW 3<sup>rd</sup>.  
 Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Henry Balensifer, Tom Dyer, Mark Baldwin, Rick Newton, and Gerald Poe

Staff Present: City Manager Linda Engbretson, Police Chief Mathew Workman, Fire Chief Brain Alsbury, Community Development Director Scott Hess, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Finance Director April Clark, Community Library Director Kelly Knudsen (Via Zoom), Harbormaster Jane Sweet, Planning Consultant Mark Barnes, and City Recorder Dawne Shaw

OATHS OF OFFICE

Gerald Poe was sworn into office for City Commissioner, Position No. 1; Mark Baldwin was sworn into office for City Commissioner, Position No. 2 and Thomas Dyer was sworn into office for City Commissioner, Position No. 3, by City Recorder, Dawne Shaw.

SELECTION OF MAYOR PRO TEM

Per City Charter, the Mayor Pro Tem is selected by ballot by the Commission at its first meeting each calendar year. City Recorder Dawne Shaw read aloud the cast ballots.

Mayor Balensifer voted for Commissioner Dyer  
 Commissioner Poe voted for Commissioner Dyer  
 Commissioner Baldwin voted for Commissioner Dyer  
 Commissioner Dyer voted for Commissioner Dyer  
 Commissioner Newton voted for Commissioner Dyer

**By unanimous vote, Commissioner Dyer was elected Mayor Pro Tem for calendar year 2021.**

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 12.08.20
- B. Police Department Monthly Statistics – November 2020
- C. Parks Advisory Board Meeting Minutes – 10.12.20
- D. Parks Advisory Board Special Budget Meeting Minutes – 11.09.20

- E. Liquor License Application – South Jetty Inn
- F. Monthly Finance Report – November 2020
- G. Fire Department Annual Activity Report

Mayor Balensifer requested Fire Chief Alsbury to speak on the Fire Department activity report. Chief Alsbury stated he chose to focus the report on the good the department has done. He reviewed the details of the report. Mayor Balensifer applauded the work Chief Alsbury has done with the department. Commissioner Newton agreed that what he has done is miraculous. Brief discussion followed.

**Commissioner Baldwin made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe - aye**

#### COMMISSIONER REPORTS

Commissioner Newton stated he will be submitting his notes from the PSCC meeting and gave brief details. He also discussed the downtown art project, noting the art cannot be placed until people can gather together safely to celebrate.

Commissioner Dyer welcomed everyone and noted it is nice to see new people in attendance.

Commissioner Poe thanked the community for electing him and stated he will do a good job.

Mayor Balensifer asked for unanimous consent to rearrange the agenda to place discussion item 10.A after Public Comment; there were no objections.

PUBLIC COMMENT - Marissa Lauren spoke in regard to Homestay Lodging and Vacation Rentals. She stated she had applied for a vacation rental and was approved. She proceeded to put \$15,000 into renovations and was then notified she was no longer eligible due to the municipal code, and the approval was rescinded. She asked the commission to visit that to figure out how she can be in compliance. She noted it is urgent for financial reasons. Mayor Balensifer explained the process and the grace period the city had for vacation rentals. He stated he will keep her comments in mind when this topic is discussed later in the agenda.

**10.A** - Parks Advisory Board Chair Sarah Long briefly outlined the board's proposals for fund raising. Mayor Balensifer noted for the record that the Parks Board has done a phenomenal amount of work and has been one of the most productive boards over the last 2 years and thanked them for their work. Commissioner Newton spoke about the parks board minutes on the consent calendar, pointing out that the minutes state he said he would be able to find funding for the splash pad. He clarified that he thinks he can find funding but is not certain. Ms. Long continued to review the board's proposals and stated fund-raising events was a priority for the board, highlighting the suggestion of tournaments in the park, such as a cornhole tournament. Brief discussion continued. Ms. Long stated maintenance of the parks is a main priority for the board.

#### MINUTES

## PUBLIC HEARING

Mayor Balensifer opened the Public Hearing on the Amendment to Warrenton Municipal Code 16.208.050.H, Appeals of Type III Quasi-Judicial Decisions. Formalities followed and no conflicts of interest or ex parte contacts were reported. Planning Consultant Mark Barnes reviewed his staff report. He stated the amendment was initiated by the City Manager and explained the amendment would allow staff to appeal decisions. He noted it does not change the right to appeal for any other party. He stated the Planning Commission unanimously voted to not approve this amendment. Mr. Barnes noted in his time as a planning director, he has never seen anyone appeal, so it would sit in the code and most likely not be used. Commissioner Newton asked about what kind of situation would warrant an appeal to a Planning Commission decision. Mayor Balensifer explained this came about due to the Wendy's drive-thru decision; and that a staff member should be able to speak out on the matter. He also noted the code has not always been applied consistently. He noted past issues and stated this would be a check and balance that history proves is needed in Warrenton. Mayor Balensifer asked for public comments. No one spoke in favor. Planning Commission Chair Paul Mitchell spoke in opposition to the proposed amendment. He stated he is not necessarily in opposition; he is speaking on behalf of the planning commission. He stated he would like to make it very clear that they have no doubt the city manager would do nothing but what would be right for the city. We come from a place over the past couple of years as a commission, where we have felt like we have had ongoing relationship with a former planning director that lacked a certain amount of trust. Mr. Mitchell stated they feel very confident with current staff, but they also feel very strongly that if you do not trust us based on the information they are receiving from staff, and then make changes, why have a Planning Commission. He suggested a joint meeting with the City Commission. Ms. Engbretson assured the Planning Commission that she is not looking for a power grab, but staff is not perfect, and in this particular situation there was no path to remedy the situation. If there is a fatal flaw, this would give us an opportunity to bring it forward. There being no further comments, Mayor Balensifer closed the public hearing. Commissioner Baldwin stated he understands the thought behind the amendment and is not opposed to it. He also understands Mr. Mitchell's stance on the matter. Commissioner Dyer stated he likes it but would like it to then go back to the Planning Commission for further deliberation and decision. Mayor Balensifer noted for the record – the City Commission decision can be to remand it back to the Planning Commission. Mr. Barnes noted that with remanding it back to the Planning Commission you would be up against the 120-day timeline it is often a factor. Commissioner Dyer stated he has faith in the Planning Commission; Commissioner Newton sees it as a safety valve. Mayor Balensifer stated he is also in favor if it, noting it was advised through legal counsel. He also noted this is for Type III decisions. He stated that he would be in favor of altering the ordinance to include Type II to this process. Commissioner Baldwin noted his concerns on adding Type II. Mayor Balensifer stated the joint session with the Planning Commission will be soon; there was consensus to have staff bring up Type II at the joint session. Brief discussion continued.

**Commissioner Baldwin made the motion to conduct the first reading, by title only, of Ordinance No. 1247. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe - aye**

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**Mayor Balensifer conducted the first reading, by title only; *Ordinance No. 1247; An Ordinance Amending Warrenton Municipal Code Title 16, Development Code, Division 4, Applications and Review Procedures, Chapter 16.208, Types of Application and Review Procedures, Section 16.208.050, Type III Procedure***

## BUSINESS ITEMS

Paul Nielson of Isler CPA (via Zoom) presented the financial statements and audit results for the period ending June 30, 2020. He reviewed his slide presentation. Commissioner Newton asked what the minimum number of days is a city needs in the ending fund balance. Mr. Nielson stated a minimum of 3 months/a max of 6 months. He stated there were no areas of concern. Brief discussion followed.

Community Library Director Kelly Knudsen presented an MOU for cooperation in the provision of library services. She noted the MOU has been updated for the ROCC library cards for youth in the outskirts of city limits; she noted the time frame adjusted to 5 years. Mayor Balensifer asked how the library use has been through the pandemic. Ms. Knudsen stated since just the drive thru has been open, it has been very busy/steady. There has been a big increase on holds and check outs. She will present an activity report at the next meeting.

**Commissioner Dyer made the motion to authorize the Mayor's signature on the Memorandum of Understanding between Clatsop County and the cities of Astoria, Seaside and Warrenton for cooperation in the provision of library services. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

Harbormaster Jane Sweet discussed a request to extend the Hammond Marina dredging contract with Bergerson Construction. She gave a brief progress report on the status of the dredging, noting that basically half of the dredge project is done. She noted that because of the start delay an extension is needed for completion. The extension would include to dredging window of November 1, 2021 – December 31, 2021. Mayor Balensifer asked about the docks being cordoned off; Ms. Sweet stated it was for safety reasons due to high tides. Ms. Engbretson reminded the commission that the permit is for 5 years. The city had requested permission to go into the work window of Jan - Feb 2020 and it was declined. It was noted there is no increase in cost for the extension.

**Commissioner Baldwin made the motion to extend the contract allowing for Bergerson Construction to continue dredging for the 2021 dredging season, starting November 1, 2021 – December 31, 2021, by authorizing the Mayor's signature on Change Order No. 1. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

## MINUTES

City Manager Linda Engbretson explained the License to Occupy (LTO); noting the commission held a discussion that staff should have the authority to administratively approve an LTO. She stated the discussion was minimal and there was no formal action and thus not recorded in the minutes. Ms. Engbretson noted the attached LTO was signed by the City Manager under emergency consideration. The old Dooger's building sits within a portion of the right of way and they have been trying to correct this issue. To satisfy the pending investment/ownership of the building, as well as the current property owner's wishes to rectify this portion of right of way that was previously believed to have been vacated, staff worked with the property manager and legal counsel to address issues and move forward with the LTO. She stated the property owners will be submitting a street vacation petition soon. Ms. Engbretson recommended the commission formally authorize staff to perform administrative review and approve LTOs.

**Commissioner Dyer made the motion to authorize the City Manager or designee to approve encroachment permits and/or a License to Occupy containing right to return to public right of way language. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

**Commissioner Baldwin confirm the existing LTO granted by the city manager for Atlas...**

Mayor Balensifer noted his nominations for the Warrenton Community Library Board.

**Commissioner Dyer made the motion to appoint Eileen Purcell to Position No. 4, and Karyn Grass to Position No. 5 on the Warrenton Community Library Board. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

Resolution No. 2585 was submitted to confirm the appointments and set the terms of office for the newly appointed Library Board members, and to correct term dates that were previously listed in error. Resolution No. 2586 was also submitted for approval to correct term dates on the Parks Advisory Board. It a recently discovered that the term dates on both boards have been incorrect for several years.

**Commissioner Baldwin made the motion to adopt Resolution No. 2585; Authorizing Appointments on the Warrenton Community Library Board and Setting Terms of Office, and Correcting Term End Dates. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

Mayor asked for consent to amend Resolution No. 2586, to switch positions 2 & 3, as Ron Dyer specifically requested a 1-year term; there were no objections.

**Commissioner Newton made the motion to adopt Resolution No. 2586; Correcting Term End Dates on the Parks Advisory Board, as amended. Motion was seconded and passed unanimously.**

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**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe – aye**

Public Works Director Collin Stelzig explained that NW Natural is requesting a 5-foot gas pipeline easement for Highlife Adventures. The easement is just north of the 100' exclusive Pacific Power Easement on tax lot 81027DD02100 in Forest Rim. NW Natural has agreed to provide the city with all requested recordings, surveys, permits fees and as-builts for their project at no cost to the city. Ms. Engbretson noted this is a letter of intent, not the formal easement. She requested the commission authorize the mayor's signature on the easement, so we do not have to bring it back to the commission.

**Commissioner Baldwin made the motion to accept the agreement to proceed with the NW Natural utility easement, and to authorize the mayor's signature to execute the easement once it is formalized. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe - aye**

#### DISCUSSION ITEMS

Mayor Balensifer noted the public comment received from Birchard Kelley regarding the roadway improvements to N. Main Avenue and NW 7<sup>th</sup> Place. Mr. Stelzig addressed Mr. Kelley's public comment for the record; he stated the decision on which side the sidewalks will be on has not been made - it will be decided when we get into design. He also stated building over the current ditches would likely be more expensive, but there will be improvements to storm drainage anyway, so they will look at it at that time. Once the city gets into the design process these decisions can be made. Mr. Stelzig presented his staff report on the public outreach results on roadway improvements to N. Main Avenue and NW 7<sup>th</sup> Place. His recommendation is for a 28' wide street with sidewalks on one side. The estimated cost is \$1.8 million; Mr. Stelzig stated the city would need to look for additional funds to do this project. Mayor Balensifer noted we could do it in phases and stated it would be nice to hold the presentation - to do a zoom meeting for that specific community. After brief discussion, the consensus was to have a 28' road with a sidewalk on one side. Further discussion continued; the cost of the project was noted, and suggestions were made to do the project in sections, or in phases - by 7<sup>th</sup> and N. Main, not sectioned. Other suggestions discussed were to find the money and do it all, or if we must leave something out – leave out the sidewalks and curbs until later. Ms. Engbretson suggested making it priority of the budget each year. Consensus was to do all underground utility work and then do the surface work, sidewalks, and culverts. It was noted this would also include connecting residents to the pressure sewer.

Community Development Director Scott Hess discussed Homestay Lodging Ordinance updates; noting staff is looking for direction. He stated there is a hole in code and explained the error he made in approving a vacation rental due to lack of clarification. He stated it needs to be made clear in the code. Mayor Balensifer explained the prior commission decision on vacation rentals for Mr. Hess' benefit. He noted he is fine with granting that grandfather status to include Ms. Lauren due to our error. There was consensus to reinstate her approval. Commission consensus is that vacation rentals are permitted in commercial zones, not residential zones; homestay lodging

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is a permitted use in any and all residential zones, as long as the owner lives on site. Approvals are rescinded upon sale of the property.

Mayor Balensifer presented his amended draft Rules of Procedure, which would provide a standardized manual for the fair and efficient conduct of business by the City Commission and all its subsidiary boards, commissions, committees, and task forces. Ms. Engbretson noted this and the other items he has been working on. She stated she would like to have a work session on the commission rules with legal counsel's input. Mayor Balensifer stated if approved, this would apply to all boards in the city. He noted that he would do the annual training for the board chairs. After further review and discussion, consensus was to move this to a business item on the next agenda.

### GOOD OF THE ORDER

Commissioner Newton highlighted what the mayor has done with his Facebook page. He noted an article in the Alaska paper regarding how far ahead they are in vaccine distribution. He also noted he participated as a bell ringer for the Salvation Army and how much money was raised overall.

Mayor Balensifer noted with extension of cares act the city will be giving another round of money to CCA to help with utility bills and rent. Ms. Engbretson explained and noted the city has given \$50,000 total to help Warrenton residents. Mayor Balensifer noted the letters he and Mayor Jones, as well as the Chamber of Commerce sent to the governor. He stated he had made communication attempts with the governor's office and the state, and they have been nonresponsive. The lack of response will be brought up to the Oregon Mayors Association on Thursday. He stated the Spivey's reached out to him regarding a motor vehicle accident that happened at Triangle Park in Hammond, noting the vehicle crashed into their house. They asked if the city be willing to put up barriers or boulders, so it does not happen again. Discussion continued on reducing the speed to 35 mph at 13<sup>th</sup>. Chief Workman noted it is very difficult to get the speed changed through ODOT. Commissioner Poe suggested putting reflective material on poles to increase visibility of the curve. Chief Workman noted Commissioner Poe made a good point and stated the city should put an emphasis on ODOT to doing something. This could have been a fatal event, and this may prompt them to act. Ms. Engbretson stated staff will reach out to ODOT about the matter. Mayor Balensifer spoke about the recent king tides and suggested the installation of pumps in place of tide gates.

At 8:17 p.m., Mayor Balensifer recessed the regular meeting for 5 minutes. The meeting was reconvened at 8:26 p.m. Mayor Balensifer noted there was a miscommunication regarding Ms. Lauren's request. There was unanimous consent to reconsider the item related to the grandfather status. Mr. Hess stated the applicant has two properties which they were applying for vacation rental status; one on Honeysuckle Loop in Warrenton and one in Hammond. They applied for these at the same time; he explained that one was pending, and one was approved. The one on Honeysuckle Loop was the one that was approved and later rescinded. The one in Hammond was a dead application due to the fact that vacation rentals are not permitted. Mr. Hess stated the request from the applicant is to leave the first one (Honeysuckle Loop) as a permitted grandfathered vacation rental and to also approve the second pending application, which still

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needs to be reviewed against the homestay lodging regulations. Mr. Hess stated for the record there are no further vacation rental applications on file at this time. Mayor Balensifer stated at the pleasure of the commission on the reconsideration for the motion is to add the grandfather status to the second property; there was consensus with Commissioner Baldwin noting he would approve it with the condition that if there are problems, we can rescind it. Mayor Balensifer stated that with this being the only application on file at this time, he suggested to formally close the consideration of any further applications; the grandfather status is closed; we are formally saying there will be no more.

**Commissioner Dyer made the motion to add the grandfather status to Ms. Lauren for the Fifth Avenue property, making the total of grandfather additions two. The motion was seconded.** (There was no vote on this motion.)

**Commissioner Baldwin made the motion to close consideration and permanently seal the consideration on any other further grandfather status of vacation rentals in the city, outside of what is provided for in the proposed code. Motion was seconded and passed unanimously.**

**Newton – aye; Balensifer – aye; Baldwin – aye; Dyer – aye; Poe - aye**

At 8:32 p.m. Mayor Balensifer recessed the regular meeting to conduct the Urban Renewal Agency meeting.

At 8:53 p.m. Mayor Balensifer announced the City Commission will now meet in executive session under authority of ORS 192.660(2)(h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.* He stated the Commission is not expected to go into regular session to take action on any item considered in the executive session.

There being no further business, Mayor Balensifer adjourned the regular meeting at 9:16 p.m.

APPROVED:

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

ATTEST:

\_\_\_\_\_  
Dawne Shaw, CMC, City Recorder

Volume 14, Issue 6

**Monthly Finance Report  
December 2020**

February 9, 2021

**Economic Indicators**

	Current	1 year ago
◆ Interest Rates:		
LGIP :	0.75%	2.25%
Prime Rate:	3.25%	4.75%
◆ CPI-U change:	1.4%	2.3%
◆ Unemployment Rates:		
Clatsop County:	unavail.	3.1%
Oregon:	6.4%	3.4%
U.S.:	6.7%	3.6%

**Department Statistics**

◆ Utility Bills mailed	3,407
◆ New Service Connections	9
◆ Reminder Letters	551
◆ Door Hangers	0
◆ Water Service Discontinued	0
◆ Counter payments	136
◆ Drop box payments	401
◆ Mail payments	1,237
◆ Auto Pay Customers/pmts	667
◆ Online (Web) payments	966
◆ Checks issued	325

**Current and Pending Projects**

- ◆ CRF Grant Funding
- ◆ Year End Payroll Tax, W-2, 1099, and ACA Reporting
- ◆ 2022-2027 Capital Improvement Program
- ◆ 2021-2022 Budget Preparation
- ◆ Reinstatement of Past Due Process

**Financial Narrative as of December 31, 2020**

**Note:** Revenues and expenses should track at 6/12 or 50% of the budget.

**General Fund:** Year to date revenues amount to \$2,534,930, which is 57.3% of the budget, compared to the prior year amount of \$2,556,523, which was 61% of the budget and are down by \$21,593. Increases are shown in property taxes, franchise fees, state revenue sharing, planning fees and grants and are offset by decreases in transient room tax, municipal court, police charges, parks charges, miscellaneous, interest, and leases. Overhead revenues are down due to one-time annual expenditures being spread to quarterly payments to assist with cash flow.

Expenses year to date amount to \$2,074,059, which is 44% of the budget, compared to the prior year amount of \$2,310,525, which was 49.2% of the budget. All departments are tracking under budget. Departments continue to watch spending due to economic uncertainties brought on by the Covid-19 pandemic.

**WBL:** Business license revenue amounts to \$57,185, compared to \$58,660 at this time last year, a difference of \$1,475. Year to date licenses issued is 513 compared to 658 at this time last year.

**Building Department:** Permit revenues this month amount to \$19,505 and \$155,307 year to date, which is 33% of the budgeted amount. Last year to date permit revenue was \$128,633.

**State Tax Street:** State gas taxes received this month amount to \$33,665 for fuel sold in November and \$153,758 year to date. City fuels taxes received this month amount to \$30,141 for fuel sold in October and are \$129,719 year to date. Total gas taxes received year to date are \$283,477.

**Warrenton Marina:** Total revenues to date are \$502,308, 87.9% of the budgeted amount, compared to the prior year amount of \$499,784, which was 80.1% of the budgeted amount. There is \$32,195 in moorage receivables outstanding.

**Hammond Marina:** Total revenues to date are \$310,002, 132.8% of the budgeted amount, compared to the prior year amount of \$368,614, which was 98.1% of the budgeted amount. There is \$2,827 in moorage receivables outstanding.

Of the total outstanding receivables:

\$14,908 (42.6%) is current,  
\$3,203 (9.1%) is 30-60 days past due,  
\$734 (2.1%) is 60-90 days past due and  
\$16,177 (46.2%) is over 90 days past due.

**Water Fund:** Utility fees charged this month are \$159,268 and \$87,108, and \$1,372,402 and \$892,307 year to date for in-city and out-city respectively and totals \$2,264,709 and is 72.3% of the budget. Last year at this time, year to

date fees were \$1,355,858 and \$803,780, for in-city and out-city, respectively and totaled \$2,159,638.

**Sewer Fund:** Utility fees charged this month are \$203,041 and \$1,247,620 year to date, which is 58.3% of the budget. Last year at this time, year to date fees were \$1,221,836. Shoreline Sanitary fees year to date are \$68,193. Septage revenue year to date is \$89,621 and is 89.6% of the budget. Total revenues year to date are \$1,471,756 compared to \$1,451,973 at this time last year.

**Storm Sewer:** Utility fees (20% of sewer fees) this month are \$40,585 and \$254,914 year to date and is 58.2% of the budget. Last year to date revenues were \$244,233 which was 52.8% of the budget.

**Sanitation Fund:** Service fees charged this month for garbage and recycling were \$78,404 and \$17,467, and \$487,707 and \$102,970, year to date, and are 57.3% and 57.1% of the budget respectively.

**Library Fund:** Current year to date property taxes received amount to \$203,288 compared to \$185,036 at this time last year.

**Community Center Fund:** Rental revenue year to date is \$4,602 and represent 35.4% of the budget. Last year at this time rental revenue was \$10,509 and 65.7% of the budget. The Annual Breakfast with Santa was a take out event this year, due to Covid-19 and brought in \$1,909 for the Center.

**Financial data as of December, 2020**

	General Fund			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	1,319,929	1,043,091	600,000	173.85
Plus: Revenues	713,588	2,534,930	4,425,741	57.28
Less: Expenditures				
Municipal Court	10,367	62,159	160,306	38.78
Admin/Comm/Fin(ACF)	111,314	546,003	1,167,282	46.78
Planning	24,734	98,365	292,992	33.57
Police	207,207	884,760	2,000,654	44.22
Fire	138,021	400,456	855,386	46.82
Parks	7,734	52,138	163,557	31.88
Transfers	30,178	30,178	70,178	43.00
Total Expenditures	529,555	2,074,059	4,710,355	44.03
Ending Fund Balance	1,503,962	1,503,962	315,386	476.86

(see details of revenue, page 4)

	WBL			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	112,402	71,405	78,000	91.54
Plus: Revenues	404	57,642	59,800	96.39
Less: Expenditures	56,176	72,417	128,346	56.42
Ending Fund Balance	56,630	56,630	9,454	599.01

	Building Department			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	907,814	898,004	790,000	113.67
Plus: Revenues	20,028	159,661	474,000	33.68
Less: Expenditures	66,480	196,303	324,175	60.55
Ending Fund Balance	861,362	861,362	939,825	91.65

	State Tax Street			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	2,291,949	2,561,838	2,300,000	111.38
Plus: Revenues	65,578	302,102	709,965	42.55
Less: Expenditures	39,854	546,267	2,674,892	20.42
Ending Fund Balance	2,317,673	2,317,673	335,073	691.69

	Warrenton Marina			
	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	455,760	172,727	145,000	119.12
Plus: Revenues	20,542	502,308	571,226	87.94
Less: Expenditures	40,672	239,405	558,797	42.84
Ending Fund Balance	435,630	435,630	157,429	276.72

**Financial data as of December 2020, continued**

	Hammond Marina				Water Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	351,574	180,776	160,000	112.99	4,508,268	3,144,980	2,200,000	142.95
Plus: Revenues	7,064	310,002	233,401	132.82	256,395	2,324,686	5,766,500	40.31
Less: Expenditures	20,316	152,456	315,641	48.30	788,258	1,493,261	7,049,683	21.18
Ending Fund Balance	<u>338,322</u>	<u>338,322</u>	<u>77,760</u>	<u>435.08</u>	<u>3,976,405</u>	<u>3,976,405</u>	<u>916,817</u>	<u>433.72</u>

	Sewer Fund				Storm Sewer			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	3,175,064	2,688,213	2,200,000	122.19	1,334,409	1,185,198	1,100,000	107.75
Plus: Revenues	229,699	1,471,756	2,428,800	60.60	41,346	254,914	433,400	58.82
Less: Expenditures	236,390	991,596	3,462,167	28.64	17,953	82,310	1,200,861	6.85
Ending Fund Balance	<u>3,168,373</u>	<u>3,168,373</u>	<u>1,166,633</u>	<u>271.58</u>	<u>1,357,802</u>	<u>1,357,802</u>	<u>332,539</u>	<u>408.31</u>

	Sanitation Fund				Community Center			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	538,600	432,697	450,000	96.15	17,618	18,239	16,000	113.99
Plus: Revenues	96,382	595,477	1,037,195	57.41	2,206	7,205	16,560	43.51
Less: Expenditures	147,561	540,753	1,291,501	41.87	1,390	7,010	24,119	29.06
Ending Fund Balance	<u>487,421</u>	<u>487,421</u>	<u>195,694</u>	<u>249.07</u>	<u>18,434</u>	<u>18,434</u>	<u>8,441</u>	<u>218.39</u>

	Library				Warrenton Urban Renewal Agency Capital Projects Fund			
	Current Month	Year to Date	Budget	% of Budget	Current Month	Year to Date	Budget	% of Budget
Beginning Fund Balance	162,972	128,494	111,000	115.76	13,360	19,464	25,288	76.97
Plus: Revenues	92,677	214,564	225,902	94.98	8,402	88,820	6,407,433	1.39
Less: Expenditures	16,291	103,700	232,070	44.68	8,400	94,922	6,432,721	1.48
Ending Fund Balance	<u>239,358</u>	<u>239,358</u>	<u>104,832</u>	<u>228.33</u>	<u>13,362</u>	<u>13,362</u>	<u>-</u>	<u>-</u>

**Financial data as of December 2020, continued**

**(\$ Cash Balances as of December 31, 2020)**

General Fund	1,800,333	Warrenton Marina	408,096	Storm Sewer	1,304,595
WBL	60,923	Hammond Marina	338,069	Sanitation Fund	405,603
Building Department	865,382	Water Fund	3,474,636	Community Center	19,173
State Tax Street	2,320,920	Sewer Fund	2,803,553	Library	242,734

**Warrenton Urban Renewal Agency**

Capital Projects	21,762
Debt Service	2,456,059

General Fund Revenues	Collection Frequency	2020-2021 Budget	Actual as a % of Current Budget	Collections/Accruals Year to date		(over) under budget
				December 2020	December 2019	
Property taxes-current	AP	1,077,628	99.39	1,071,046	964,086	6,582
Property taxes-prior	AP	30,000	83.01	24,902	19,169	5,098
County land sales	A	-	0.00	-	-	-
Franchise fees	MAQ	598,000	36.50	218,264	218,113	379,736
COW - franchise fees	M	256,281	60.57	155,231	92,049	101,050
Transient room tax	Q	525,212	46.06	241,930	307,641	283,282
Liquor licenses	A	550	0.00	-	-	550
State revenue sharing	MQ	168,891	41.47	70,045	56,776	98,846
Municipal court	M	136,700	32.32	44,186	62,884	92,514
Community development fees	I	105,000	30.63	32,165	29,674	72,835
Police charges	I	21,000	34.71	7,289	9,873	13,711
Fire charges	SM	103,524	0.00	-	-	103,524
Park charges	I	-	0.00	-	480	-
Miscellaneous	I	1,200	642.25	7,707	10,428	(6,507)
Interest	M	18,000	19.07	3,433	9,325	14,567
Lease receipts	M	216,473	49.82	107,847	108,074	108,626
Grants	I	-	0.00	4,882	-	(4,882)
<b>Sub-total</b>		<b>3,258,459</b>	<b>61.04</b>	<b>1,988,927</b>	<b>1,888,572</b>	<b>1,269,532</b>
Transfers from other funds	I	-	0.00	-	-	-
Overhead	M	1,167,282	46.78	546,003	667,951	621,279
<b>Total revenues</b>		<b>4,425,741</b>	<b>57.28</b>	<b>2,534,930</b>	<b>2,556,523</b>	<b>1,890,811</b>

- M - monthly
- Q - quarterly
- SM - Semi-annual in November then monthly
- AP - As paid by taxpayer beginning in November
- MAQ - Century Link, NW Nat & Charter-quarterly, all others monthly
- S - semi-annual
- I - intermittently
- MQ - Monthly, cigarette and liquor and Quarterly, revenue sharing
- R - renewals due in July and new licenses intermittently
- A - annual

Note: Budget columns do not include contingencies as a separate line item but are included in the ending fund balance. Unless the Commission authorizes the use of contingency, these amounts should roll over to the following year beginning fund balance. For budget details, please refer to the City of Warrenton Adopted Budget for fiscal year ending June 30, 2021. Budget amounts reflect budget adjustments approved by the Commission during the fiscal year. Information and data presented in this report is unaudited.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Brian Alsbury, Fire Chief  
DATE: February 9<sup>th</sup>, 2021  
SUBJ: FEMA Grants

### SUMMARY

Warrenton Fire Department would like to apply for two grants.

Grant one is to replace our aging SCBA. Our current SCBA's meet standard NFPA 1852-2002. Since purchased, (bought on a FEMA grant) there have been four standard updates. Our current SCBA's are compliant but the worry is that our SCBA's will be unsupported with in the next few years, thus requiring to replace them anyways. We have an opportunity to receive new updated SCBA's at a fraction of the cost. Without this opportunity it would cost the taxpayers approximately \$217,000.00. If awarded the grant, cost to taxpayers would be approximately less than \$15,000.00, a savings of over \$200,000.00

Grant two is to replace E-2721 at our Hammond Station (S27A) with a new Type 3 fire apparatus. E-2721 is an 1988. It currently is in reserve status as a 2<sup>nd</sup> out engine. It no longer holds water due to a leaking tank and valves. Repairing E-2721 would be costly and only a band aid solution. It also has a manual transmission that only a few can operate. Hammond fire station currently only has one working engine and if that engine goes out of service during an emergency, Hammond would be unprotected until an engine arrived from Warrenton (S27). Having only one working engine at S27A could be a liability to the staff, fire dept, and the city of Warrenton. Replacing this engine is long overdue and a high



priority to the fire dept. Cost of a new Engine could be approximately \$400,000.00 and another huge bill for the taxpayers to burden. If we apply for a grant to replace E-2721 and have success, the cost to the taxpayers would be approximately \$20,000.00,

Both grants matching funds can come from the Apparatus replacement fund from the FY 2021/2022 budget. The Apparatus fund has approximately \$99,000.00. we will need to earmark upwards to \$35,000.00 to fund both grants if successfully awarded. This would be a savings of \$582,000.00 to the taxpayers of Warrenton/Hammond.

#### RECOMMENDATION/SUGGESTED MOTION

*"I move to have the fire department apply for both an SCBA grant and apparatus grant through FEMA AFG Grants."*

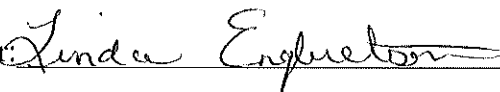
#### ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

#### FISCAL IMPACT

Fire Department will budget for this expense in the FY 2021/2022 Budget.

Approved by City Manager:



All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Brian Alsbury, Fire Chief  
DATE: February 9th, 2021  
SUBJ: Regional Grant with Clatsop County Fire Departments, FEMA Assistance to Firefighters Grant Program (AFG)

### SUMMARY

Warrenton Fire Department would like to enter a Memorandum of Understanding (MOU) with Cannon Beach Rural Fire District, who will be hosting the regional grant for the Warrenton Fire Department and south Clatsop County. If awarded the funds by FEMA AFG, we will be able to replace aging and outdated radio equipment (Mobile, Portable, Base stations) that are no longer supported from the manufacturer. Warrenton Fire Department will need to replace 13 mobile radios and 57 portable radios. The cost of the radios without the grant would be \$272,000.00, There is a 5% match if we are awarded the funds, which would require the Fire Department to pay approximately \$13,600.00.


### RECOMMENDATION/SUGGESTED MOTION

*"I move to enter an MOU with "Cannon Beach Rural Fire District."*

### ALTERNATIVE

1) Find alternate funding sources

FISCAL IMPACT-Fire Department will budget for this grant in the 2021/2022 Budget Cycle.

Approved by City Manager:  \_\_\_\_\_

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Dawne Shaw, City Recorder

DATE: February 9, 2021

SUBJ: Grandfathering of Vacation Rentals

### SUMMARY

At its January 12, 2021 meeting, the City Commission declared the grandfathering of vacation rentals in residentially zoned areas to be closed. Resolution No. 2588 formalizes this decision and denotes a clear record of the properties that have grandfather status, as outlined in Exhibit A. The resolution also notes that the grandfather status/permit does not carry over with transfer of legal property ownership.

### RECOMMENDATION/SUGGESTED MOTION

I move to approve Resolution No. 2588; A Resolution Formally Declaring an End to the Grandfathering of Vacation Rentals in Residential Zones.

### ALTERNATIVE

Other action as deemed appropriate by the City Commission

### FISCAL IMPACT

N/A

Approved by City Manager:

**RESOLUTION NO. 2588**  
Introduced by All Commissioners

**A RESOLUTION FORMALLY DECLARING AN END TO THE  
GRANDFATHERING OF VACATION RENTALS IN RESIDENTIAL  
ZONES**

**WHEREAS**, on January 8, 2019 the City Commission approved new "homestay lodging" safety regulations that went into effect on January 22, 2019; and

**WHEREAS**, the City of Warrenton offered a one-year grace period to allow currently operating short-term rentals to register and comply with new safety requirements; and

**WHEREAS**, on January 12, 2020 the City Commission by unanimous decision, formally declared the grandfather status of vacation rentals closed, and to include the properties listed in Exhibit A; and

**WHEREAS**, on January 12, 2020 the City Commission declared that vacation rental and homestay lodging permits are revoked upon transfer or legal ownership of the property; and

**NOW THEREFORE**, The Warrenton City Commission of the City of Warrenton does hereby formally declare the grandfathering of Vacation Rental Dwellings in residentially zoned areas to be closed.

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton this 9<sup>th</sup> day of February 2021.

APPROVED

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

ATTEST

\_\_\_\_\_  
Dawne Shaw, City Recorder

## EXHIBIT A

### Approved Residential Zone Vacation Rentals:

1. 580 Russell Place, Hammond – Ming
2. 1127 Fifth Ave., Hammond – Bernard
3. 1601 S. Main Ave., Warrenton – Davis
4. 968 SW Longlake Dr. Warrenton – Edwards
5. 642 5th Ave., Hammond – Walk
6. 515-535 Russell Dr., Hammond – Holmberg/Vorobik
7. 1149 SE 2nd St., Warrenton – Kreipe
8. 1564 SE Honeysuckle Loop, Warrenton – Lauren
9. 868 Fifth Ave., Hammond – Lauren
10. 1920 Third Ave., Hammond – Simonsen
11. 809 Pacific Ave., Hammond – Arnall



# Policies and Procedures For Citizen Boards

City of Warrenton

1<sup>st</sup> Edition

By: Henry A. Balensifer III

Published 2021

## **Chapter 1 Introduction:**

**Brief:** Thank you for your willingness to be involved in your city government! Citizens, like yourself, provide the basis of much of the policy and development decisions within our city. The City Commission has placed faith in you to provide it with recommendations and input on what is best for Warrenton. You have been selected to provide a citizen-based sounding board for advice and recommend policies.

## **Chapter 2 The Role of Appointed Boards within Local Government:**

### **2.1 Supremacy of the City Commission, Purpose of Boards**

The City Commission is the final authority for deciding policy, budgetary, and legislative matters within the city. It has created many citizen boards to ensure transparency in government and to channel the ideas and energy of citizens interested in particular issues. Citizen boards are to advise on issues of importance to the City Commission or develop plans or projects as necessary or directed to by the City Commission. If they lack clarity on city policy or direction, they should request a clarification from the City Commission via the Mayor and/or the City Manager.

#### ***2.1.1 Staff Support***

City staff, when provided to support a board, is made available at the discretion of the City Manager or Commission policy via the board's chartering resolution. Staff operations are not controlled by the appointed board, unless otherwise approved by the City Manager or otherwise provided for in a definitive policy passed by the City Commission.

## **Chapter 3 Constituency**

### **3.1 Constituency Defined**

Merriam Webster's Dictionary defines constituency as "a body of voters in a specified area who elect a representative to a legislative body." While that is very specific, a "constituency" is generally thought of a body of people one represents and/or is accountable to. While every board appointee should act in how they feel is best for the community, they do not have a constituency other than the City Commission. Board Appointees should not accept nor confuse their role with having the burden of representing all citizens within the community. They are nominated by the Mayor and confirmed by the City Commission, and thus are held accountable to and can be removed by the City Commission at will. The City Commission is the only municipal board within the City that is accountable to voters by elections or recalls.

This is said to relieve the pressure some appointees feel about sitting on the board. While some boards may get angry speakers/citizens demanding something, they should always weigh the demand with their authority to decide, and the laws and policies of the city in place at that time. In most cases, boards have only advisory authority and as such should consider their recommendations as policy ideas and their effect on the community writ large. When in doubt, a board should notify the City Commission via a formal recommendation voted on by their full board or submit inquiries through their chairperson to the



City Commission via the Mayor. Individual board members should feel free to contact the City Manager and/or Mayor and/or Commission liaison (if there is one) relating to questions of policy or procedure at any time.

## **Chapter 4 Conduct**

### **4.1 Service**

Board members serve at the pleasure of the City Commission. Members, while acting in their appointed capacity or using their titles, should exercise caution in public remarks and refrain from disparaging their fellow board members or the City Commission on the record, on social media, or to the news media.

### **4.2 Recommendations**

The City Commission desires to hear from its boards often. When a recommendation is made by a board and forwarded to the City Commission it is customary and encouraged for the chairperson to deliver the recommendation to the City Commission. If the chairperson is not available, then the vice-chairperson. While the City Commission recognizes everyone is volunteer, the quality of the recommendation is greatly enhanced when Commissioners can directly engage with the board. The Mayor shall always recognize the board chair or vice-chair to deliver the report. See Appendix A for recommendation template.

#### ***4.2.1 Right to Dissent***

On all boards, when a recommendation is made or decision rendered, members have a right to file a letter of dissent to be forwarded with the formal recommendation to the city commission for the record. This letter should clarify the reasons why they disagree with the recommendation. The letter must be written within 5 calendar days of the recommendation/decision but may be required sooner if the recommendation will be considered at a City Commission meeting sooner than 5 days. See Appendix A for an example.

Members who oppose recommendations may speak during the public comment period as a private citizen but are not entitled to recognition during the presentation of the board's recommendation (unless they happen to be the one presenting the board's recommendation). The purpose of appointed boards' recommendations is to have the merits of a recommendation vetted before proposing it to the City Commission.

#### ***4.2.2 Process of Forwarding***

All letters of dissent shall be included with the board recommendation it pertains to. If a letter is turned in after said packet is published, it shall be included in the Commission Drop Box, and/or printed and provided for the meeting.

### 4.3 Attacks

Conduct that attacks someone personally may lead to suspension, censure, or removal from a board.<sup>1</sup> Members should attack ideas and policies—not people on the board, city commission, or members of the community personally. Creating a hostile environment on the board, or the chronic inability to separate personal issues from professional decisions/positions may result in the dysfunction of the board and suspension or removal of the offending appointee(s). Strong disagreements on matters of policy are not a basis for creating a hostile environment. Impugning the character or motivations of a member of the board or staff or abusing parliamentary procedure to the point meetings become secondary to the procedures being inflicted upon the board are examples of creating a hostile environment.

### 4.4 Good Conduct

Good conduct can be summed up with a general rule of thumb: debate ideas, not personalities; and do whatever you can to preserve the public trust in the institution of local government. If you cannot respect the person you are debating, respect their position as a board member of equal standing and value. Members should fight for what they believe in, however they should not impugn another person's character or cast aspersion on motives. The only right another committee member has to challenge another board member during a meeting is to call out an ethics violation or a conflict of interest that has gone undisclosed or is otherwise improperly handled.<sup>2</sup> See the "Conflicts of Interest" section of this publication for more information. Committee members may not attack or make comments that impugn, harass or haze another. Spirited debate that focuses on the issue and not the person is not considered harassment or hazing.

All members should respect the authority of the chairperson. The chair's job is to ensure order and fairness in the meetings. If a chair is failing to ensure order, fairness, or the rights of members as prescribed in parliamentary procedure, members may declare a point of order or use parliamentary procedure to correct the deficiency. If the board has lost confidence in the chairperson, the board may move and vote to declare the chair's position vacant and appoint a new one. No member should take personally the use of parliamentary procedure to end a non-germane discussion. Likewise, no member should have their time wasted by non-pertinent discussions. Conversely parliamentary procedure can be abused to the detriment of the board and/or waste time. This is why it is so critical for board chairpersonships to not be taken lightly, nor be on an automatic "rotating" basis which may require persons ill fitted to the role or unwilling to take on such responsibilities to be the presiding officer.

### 4.5 Public Trust

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<sup>1</sup> City Commissioners cannot be removed from office except for violations noted in the City Charter.

<sup>2</sup> Improper handling includes participating and/or voting on a decision by a member who has an actual conflict. City and Planning Commissioners are responsible for knowing and obeying Oregon ethics laws and administrative rules, as well as any city ordinances that are in effect pertaining to ethics, corruption, and conflicts of interest. See [Oregon Ethics Commission](#) website for more information.

The sole purpose of City Government is to serve its citizens. The power to decide items affecting the lives and possessions of its citizens are entrusted to the City and as such the office of any person within city government be it employee, elected, or appointed, are offices of public trust. It is therefore the responsibility of all government officials to protect that trust by taking great pains to avoid even the appearance of impropriety as much as possible.

No official has the right, or power to make promises related to the boards they serve on without the prior consent or delegation of authority from that board. The Mayor is only one of 5 votes and the chairs of each board have solely one vote per person. Making such promises not only compromises the integrity of the office to which one has been sworn or appointed to, but also create a deficit in the public trust and should be avoided.

#### 4.6 Conflicts of Interest

It is the personal responsibility of all members to disclose conflicts of interest both perceived and actual before the discussion of the agenda item has begun. The proper disclosure method can be in two ways: 1.) during a public hearing, when the chair asks if any members have conflicts of interest to disclose or 2) ask to be recognized as soon as the agenda item comes up and disclose then (only if not a public hearing or the chair fails to ask if anyone has a conflict). When disclosing, the member should state both the conflict and nature of the conflict. This should occur *after* the hearing is opened and before the staff report or discussion has begun. If the conflict is perceived, and not actual, the member in question is *required* to state whether they believe the conflict clouds their perspective and that they believe they can be fair and impartial. Legally, the chair must accept the member's answer at face value. However, if a non-conflicted member of the board requests the recusal of the conflicted member, it is considered courteous for the conflicted member to recuse themselves from at least the vote, but not required. Specifically, the full board reserves the right to determine if a member is able to partake in the discussion or vote of a question in which a conflict exists, should that person refuse. If a member of either the Planning or City Commission have an *actual* conflict of interest the proper procedure is for them to recuse themselves from the meeting for that particular item, refrain from partaking in the discussion, and customarily step outside of the meeting room. Once the item is decided or public hearing closed, the conflicted member is to be invited back into the meeting to participate normally.

##### *4.6.1 Failure to Declare*

If a member of the planning commission fails to declare an actual conflict of interest, or refuses to acknowledge an actual conflict of interest, and this is brought to either staff's or the City Commission's attention and verified—that member may be suspended from voting and/or attending future meetings by the Mayor, until such time as the City Commission conducts a review of the circumstance and makes a decision regarding censure or removal from the board.

#### 4.7 Dress Code

People have a right to express themselves however they feel. While it is not a requirement, the City respectfully requests that all elected and appointed members dress in a manner appropriate to and respectful of the office or position they hold.

## **Chapter 5 Board Sizes and Attendance Regulations**

### **5.1 Board Positions to Ensure No Tie**

All city boards shall comprise of an odd number of persons who may vote. If the appointed membership reaches an even number, the chairperson shall not vote. The board size rule does not apply to subcommittees formed by an appointed or elected board but is highly recommended.

### **5.2 Preparation Required, Right to Accommodations**

Serving on a city board is an office of public trust. As such, it requires all members to be as engaged as possible, which requires prior study of meeting materials, familiarity with relevant plans and documents related to the meeting materials and regular attendance. While it is understood board members are volunteers—many with day jobs—absences are to be avoided as much as possible. When circumstance requires, members who cannot attend in person should participate remotely. Those membership should notify staff of the need or desire to do so and coordinate with city staff to ensure the setup of the conference call or videoconferencing system if they require such accommodation. For members with disabilities, they have a right to reasonable accommodations as well.

### **5.3 Chairpersons, Officers, Sizes**

Boards that comprise of 3 persons are to have only a chairperson. They are not considered to constitute a quorum without full attendance of the board due to their size.

Boards that comprise of 5 or more persons are to have a chairperson and a vice-chairperson. A quorum of these members will consist of a simple majority of voting appointees.

A quorum exists when a majority of appointees are present. Vacant positions on the board do not count towards determining a quorum.

### **5.4 Absences**

An excusable absence is noted if the member is ill or injured, has a medical procedure or family death/emergency, or a professional requirement. A professional requirement is considered a work trip, meeting, or other unavoidable requirement of their profession/employment. Absences that could have been avoided are not excusable, with the singular exception of being pre-approved before their appointment to the board.

Non-excusable absences include but are not limited to: trips that can be scheduled around such as vacations or non-urgent personal trips, forgetting the meeting date/time, or a desire to not attend that

meeting or vote on a difficult matter. The Commission, in weighing a pattern of absences, may determine failure to notify staff or the board chair of an absence that was not related to an emergency in which a person could have called or notified of their absence is unexcused.

Below are rules related to tolerable number of absences. Unexcused absences are explicitly listed. If the absence is general, it is a combination of excused and unexcused in aggregate.

- Members of boards that meet quarterly may not have more than 3 unexcused absences in 2 consecutive years.
- Members of boards that meet every other month may not have more than 2 unexcused absences in a year period, or an aggregate of 3 absences in a year period.
- Members of boards that meet monthly may not have more than 4 aggregate absences within a year and may not have more than 2 consecutive unexcused absences in a year period.

Because board chairs are critical positions requiring a greater attention to the details of the meeting, board chairs are held to a higher standard than regular members for attendance and should endeavor to attend all meetings. Chairs should not miss more than 2 meetings a year. This higher standard only applies to their position as chair.

\*The Mayor, by notifying the City Commission, or the City Commission by formal action, may retain the right to keep members on a board despite attendance history or planned absences in order to find suitable replacements to the board, at which time they will be relieved of their appointment and a replacement appointee shall take their place.

## 5.5 Children/Family Policy to Enable Attendance

It is the official policy of the City of Warrenton to encourage and promote the inclusion of community members with children to serve on boards. Persons with children bring a much-needed perspective about the ease of use of public facilities and the suitability to meet current needs of children and families.

Members may bring their children to meetings provided they do not inhibit the business before the board. Wide discretion is given to chairs to work out reasonable accommodations for members who are new mothers, and members with children. If an accommodation can be made for in person attendance it shall be made, and if not—then technological accommodation must be made to ensure their participation.

### **5.51 Abuse, Prohibited Activities**

The city is not a childcare provider and accommodations for children should not be a license to create significant disruption to the meeting. Children should not deface public property, or otherwise create a safety or property hazard to themselves, others, or the meeting space.

## **Chapter 6 Parliamentary Procedure and Chairpersons**

### 6.1 Parliamentary Procedure

Parliamentary procedure, also known as rules of order, ensures the orderly transaction of business and respectful debate of ideas within a committee or board. Additionally, it ascertains the will of the majority, while securing the rights of the minority to be heard and participate in a decision. Boiled down, parliamentary procedure is a code for civility and common sense within a deliberative body. Meetings should begin promptly if a quorum exists and adjourn promptly after the conclusion of business or if such time is fixed. While board members can range from young professionals to retirees, it is important to not waste anyone's time and to stay on topic. The City's appointed boards are all comprised of wholly uncompensated volunteers, many of whom have professions and must sacrifice either professional time or family life to serve the city. Chairs must weigh the needs of a full and fair debate of ideas with the time constraints of an entirely volunteer board. Particularly verbose members who have a tendency to talk off topic or wander on tangents not before the board or germane to the item on the agenda being discussed should not feel slighted when the chairperson cuts them off and redirects the discussion to what is at hand.

Most appointed boards observe relatively relaxed parliamentary procedure. This is generally OK, and due to the fact most boards do not have legal authority to decide questions before it. The only boards that require relatively strict adherence to parliamentary procedure and legally scripted motions is the Planning Commission and Budget Committee. Nevertheless, boards shall try to follow parliamentary procedure as best they can. Chairs have a right to expect that staff will provide scripts to read to guide any legal proceedings if such a script is required for that meeting.

## **6.2 Chairperson/Presiding Officer**

Every year, each board will elect amongst themselves a presiding officer known as a chairperson. If the board is large enough, it will appoint an officer whose duties are to preside over the meetings when the chairperson is unable. Presiding officers will not take office until the first meeting of the next calendar year. The board can appoint a chairperson-elect at any time during the year before October. The October requirement is solely to ensure adequate time for the newly appointed chair and vice-chairpersons to attend chairperson training. This appointment should not be taken lightly and must be taken willingly. "Rotation" of board chairs is not acceptable if it falls upon a member who does not desire the position or is unwilling to take the training and responsibility it entails.

### ***6.21 Training Required***

Board chairs are required to receive training on parliamentary procedure and their board charter in order to ensure they can run effective meetings and understand the policy nuances and legal requirements of their board. Failure to attend chairperson training before the first meeting of the calendar year their term as chairperson commences will disqualify them from eligibility to serve as chairperson until they complete the training unless the prior chairperson is no longer on the board.

### ***6.22 Exemptions***

The Mayor may grant a temporary exemption, provided the City Commission is notified at the next regular City Commission meeting with a timeline for remediation of the training deficiency or a request for a waiver. A waiver must note the reason and have the consensus of the City Commission to go into effect. Valid reasons include, but are not limited to, prior training and demonstrated knowledge of procedure and the respective board charter.

## Chapter 7 Planning Commission

### 7.1 Quasi-Judicial Status

The Planning Commission is the only board where non-elected citizens may decide items with legal finality and without Commission intrusion unless the decision is appealed or is Legislative. In this way, the Planning Commission acts like a jury. This is why many Type III land use decisions are considered “quasi-judicial.” Additionally, the Planning Commission is tasked with knowing the development code sufficiently to anticipate if it needs changing to ensure safe, orderly, and livable circumstances within the city. Its first function is to decide land use matters before it, but its second role (and just as important) is to advise the commission on the applicability of the development code to the current time and community needs. It bears repeating that while the Planning Commission has great power, it still serves at the pleasure of the City Commission as does every other appointed board within the City.

### 7.2 Required Reading

Planning Commissioners must read and be *familiar* with the following documents within their first year:

- Warrenton Comprehensive Plan
- Warrenton Municipal Code Title 16: Development Code
- Warrenton Community Vision Plan
- A parliamentary procedure manual as designated by the City Commission
- Anything referred to the Planning Commission by staff or the City Commission, or reading necessary to decide a matter before it.

Planning Commissioners should possess and read within their first year of membership the following:

- Any existent Urban Renewal Plan
- Transportation Systems Plan

Planning Commissioners should possess so as to read or reference as needed:

- Hammond Marina Master Plan and Updates
- Warrenton Parks Master Plan
- Other plans issued as reference material, and which will inform a matter before the board.

### 7.3 Ethics and Policies of the City, Compliance

Planning Commissioners are subject to the same ethics laws as City Commissioners in relation to gifts and ethics disclosures. Planning Commissioners are personally liable for filling out Statements of Economic Interest and filing them with the Oregon Ethics Commission. As appointees the City Commission reserves the right to remove Planning Commissioners before their term ends for cause such as, but not limited to: ethics infractions (state or municipal), incompetence, failure to abide by rules and regulations of boards, and/or negligence. If the city commission issues a directive related to the policy of the city, planning commissioners are expected to reply with a product that satisfies the directive. If the majority disagrees with such a directive or policy direction, it may do so and report their reasons in writing, but they may not ignore commission directives and “sit” on directives.

## **Chapter 8 Required Library of References**

### 8.1 Required Library and Availability

The City shall have available at all time in the Commission Chambers, one printed copy of the reference documents listed in Chapter 7, and any other documents that may be useful to any board that serves the city.

## **Chapter 9 Non-Appointed Persons**

### 9.1 Subcommittees within a Board

Boards may create their own subcommittees that involve non-appointed members to help capture outside expertise required to further develop concepts or policies they are exploring. However, any person that is not appointed shall only vote on issues within the subcommittee and shall not be eligible to vote on any issue or decision before the full board. All subcommittees must include and preferably be chaired by an appointed board member. Subcommittee chairs do not need to attend chairperson training but may receive it upon request. Subcommittees formed by the appointed board may *not* vest decisions to a subcommittee, only recommendations. The formation of a subcommittee and roster of members must be reported to the Mayor by the chair of the board prior to the seating of the subcommittee.<sup>3</sup>

## **Chapter 10 Conduct**

### 10.4 Right to Challenge Impartiality

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<sup>3</sup> If the Mayor or staff has concerns about the creation of a subcommittee, they may refer the matter to the City Commission which may, at their discretion override the creation of such subcommittee or provide it with specific direction, appointment suggestions, or boundaries of scope and time.



During quasi-judicial/Type III public hearings, it is the right of citizens to challenge the impartiality of City Commissioners and Planning Commissioners (regardless if a conflict has been declared). At the outset of the hearing, the presiding officer should ask the public in attendance if anyone wishes to challenge the impartiality of any member, at which point the member(s) of the public shall rise and state their name and address for the record and reason for challenging the impartiality of the commissioner. The commissioner is required to either step down from participating in the decision or respond for the record to why they believe they will remain impartial for the hearing. If the presiding officer fails to ask, the public has a right to approach the City Recorder, City Attorney, or City Manager's desk during the meeting and inform them of their wish to challenge—at which time staff should inject a point of order in the proceedings. If the person is disabled, they or their interpreter/or ability assistant may simply just shout out "Challenge" at the beginning of the hearing, to which the presiding officer must recognize them to state the commissioner and reason for challenging their impartiality. The challenged board member has a right to refute any challenge for the record. Members of the public may not otherwise interrupt the meetings and presiding officers have no requirement to recognize members of the public simply trying to participate without recognition to speak during the appropriate time.

If they do not challenge the impartiality of the member at the start of the hearing, they may not interrupt mid-hearing, but may file a written challenge with the City Recorder who will submit it to the City Attorney to determine if the decision would have been materially altered had that affected individual participated or not, and if in fact there was a breach of ethics. The challenger shall receive a response to their challenge once a determination is made.

## **Chapter 11 Discipline**

### **11.1 General Meeting Conduct & Attendance**

In general, the more authority a board has, the more legal responsibility members have as individuals.

If a member fails to meet the required attendance requirements, willfully damages public trust, fails to disclose conflicts of interest, or refuses to obey rules set forth by the board or City Commission, or if the board chair or staff reports a member as abusive or disrespectful, the offense shall be reviewed and if true, the offending member may be censured, suspended, or removed from the board for cause.<sup>4</sup>

Provided the issue is clear and present, the Mayor may issue a censure in writing and place members on suspension until the City Commission can either end the suspension, continue it for a definitive amount of time, or declare that board member's position vacant. The City Commission retains, as a body, full discretion under state and city law, over its boards and appointees. The mayor must provide notice to the City Commission before the City Commission's next regular meeting or the suspension is

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<sup>4</sup> The Mayor may suspend the offending member from participating on the board. This does not prohibit the member from attending meetings but does prohibit them from participating or voting. The Mayor must notify the City Commission of the reason for the suspension in writing as soon as practicable, but no later than 3 days after the suspension is in effect, or by the next commission meeting—whichever comes sooner. The Commission may formally end the suspension and reinstate the member, or if it finds the offenses warrant removal it may do so by declaring the position vacant.

automatically lifted. At all times, the Mayor must keep the Commission apprised of disciplinary actions taken unilaterally within two days of the action. Such actions should be reserved for flagrant violations such as flagrant ethics violations or abuse of office.

An example of a clear and present issue would be if a planning commissioner votes on their relative's variance application or a board chairperson calls another member a racial slur or viciously defames the character of a member personally during a public meeting and refuses to apologize. In both cases the Mayor will have likely relied on staff or a formal complaint. The Mayor may not censure or suspend members on undocumented reports. It requires a formal complaint in writing from an aggrieved party or report from staff which will be made available to the City Commission.

The Mayor is under no obligation to act unilaterally and may bring the issue(s) for the commission to consider. The general custom of the City is for most decisions to come before the city commission en banc, and to limit mayor/unilateral actions for the most egregious cases which will significantly harm the public trust or function of the board, or when the city's safety and welfare is threatened.

If a chairperson is incompetent, unable, or unwilling to follow or enforce parliamentary procedure, any member of the board may make a motion to declare the position of chair vacant and if such a motion passes, call for nominations of a new board chair. Once the position is declared vacant, the vice-chair would preside over the meetings until a new chair can be selected. If the board lacks a vice-chair, the board chair will remain in their position until a new chair is elected. The only board this does not apply to is the elected City Commission, because the Mayor is directly elected by the voters.

## **11.2 Conduct Outside Meetings**

Board members shall not attempt to intimidate, coerce, or otherwise pressure any staff member to become familiar to them by social media, uninvited house calls, or through gifts that would violate state ethics laws. Appointed members who visit staff homes uninvited to discuss a city matter can be subject to immediate suspension and potentially dismissal.

Board members are expected to be good examples of citizenship. They should refrain from using their title or position on a city board outside of meetings or official business.

### ***12.21 Assumption of Innocence***

In general, the City Commission reserves the right to appoint or vacate appointments at their pleasure and for no reason. However, board members are given the right to be innocent until proven guilty for the purposes of removal for cause.

### ***12.22 Resignation or Removal***

If a board member's criminal infraction or media attention becomes a distraction to the work of the board or significantly erodes public trust in the city that member is encouraged to resign and focus on themselves, and/or can have their position vacated by the City Commission.

## **Chapter 12 Rules of Order**

### **12.1 Official Rules of Procedure/Order**

Historically, the City of Warrenton has loosely followed Roberts Rules of Order; adapting them to its own uses over the years. The most eminent difference from Roberts Rules and the City's adapted rules of order is that the City rules of order do not require a motion to take up items already on the agenda. All members are required to read the City of Warrenton Rules of Procedure. See the latest version of the *City of Warrenton Rules of Procedure* for more.

### **12.2 Votes, Consensus, Recommendations**

When in doubt, the board should always hold a formal vote. This clarifies the record in the minutes and ensures a formal importance to whatever course the board decides.

### **12.3 Consensus**

Presiding officers shall not make policy recommendations by consensus, but by votes. Consensus decisions should be relegated to informal items, direction to staff, items of a perfunctory matter or to help achieve agreement on parts of a larger recommendation. However, recommendations forwarded to the City Commission shall have been voted on.

Appendix A: Board Recommendation Template (w/ example content)

## City of Warrenton Board Recommendation

January 21, 2021  
Parks Advisory Board

### **Summary:**

The Parks Board has created a list of recommendations for generating revenue and suggests prohibiting smoking in parks.

### **Fiscal Impact** (if any/known):

There are no fiscal estimates at this time.

### **RECOMMENDATION(S):**

*(Recommendation Unanimous)* See attached for revenue generation concepts.

*(Recommendation 5-2)* The board has received complaints of smoking near smoke sensitive persons watching children's ballgames. It also feels that smoking is increasingly not desirable around children and those with respiratory issues. State law already prohibits smoking 25' from a building entrance for these reasons. It recommends a prohibition on smoking in Quincy Robinson Park. *(1 letter of opposition attached).*

Respectfully Submitted,

Jane Eyre  
Chair



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Linda Engbretson, City Manager  
DATE: February 9, 2021  
SUBJ: Resolution Creating Warrenton Marinas Advisory Committee

### SUMMARY

The Commission approved the creation of a Warrenton Marinas Advisory Committee. The attached resolution is the formal document establishing the committee.

### RECOMMENDATION/SUGGESTED MOTION

"I move to adopt resolution No. 2589, Creating a City of Warrenton Marinas Advisory Committee."

### ALTERNATIVE

None recommended.

### FISCAL IMPACT

N/A

RESOLUTION NO. 2589

CREATING A CITY OF WARRENTON MARINAS' ADVISORY COMMITTEE

AND PROVIDING FOR RULES THEREOF

Whereas, there is a need for an advisory committee to review and recommend improvements to the performance and development of the Warrenton and Hammond Marinas, as well as advise and recommend on requests to improve services and operations; and

Whereas, this advisory committee is created pursuant to the City Commission's acceptance of the Joint Hammond Marina Master Plan and Downtown & Thoroughfare Task Forces;

The Warrenton City Commission hereby resolves as follows:

Section 1. There is hereby established an advisory committee to the City Commission of the City of Warrenton to be known as Warrenton Marinas Advisory Committee.

Section 2. The Warrenton Marinas Advisory Committee "Charter" is hereby created as outlined in the attached Exhibit A, which is herein incorporated.

Section 3. The Warrenton Marinas' Advisory Committee shall follow policies and procedures for citizen boards, attached as Exhibit B, which is herein incorporated.

Section 4. This Resolution is effective immediately upon its passage.

Adopted by the Warrenton City Commission this 9<sup>th</sup> day of February 2021.

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Henry A. Balensifer, III  
Mayor

ATTEST:

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Dawne Shaw, CMC  
City Recorder



## Warrenton Marinas Advisory Committee Charter

### Preamble

There is a need for a committee to review and recommend improvements to the performance and development of the Warrenton and Hammond Marinas, as well as advise on general matters as staff requests to improve services and operations.

### Article I

This Committee shall be known as the Warrenton Marinas Advisory Committee, which is created pursuant to the Warrenton City Commission's acceptance of the Joint Hammond Marina Master Plan and Downtown & Thoroughfare Task Forces Recommendations.

### Article II

#### Mission & Purpose

#### Section 1. Charter

The Committee shall work closely with the Warrenton Marinas Department, and will make recommendations regarding completion of or updates to a comprehensive marinas master plan to encompass both Warrenton and Hammond Marinas. The Committee shall advise the City Commission regarding matters referred to it by the City Commission, City Manager, and/or Harbormaster. It shall also consider the following matters as within its jurisdiction to periodically review and advise the City Commission on:

- A. Amendments to City Ordinances or Resolutions pertaining to the marinas;
- B. Rules, regulations, or fees relating to the operations and sustainability of the marinas;
- C. Design codes for attractive and orderly development in and near the marinas to increase the value of the assets and provide maximum aesthetic, service and operational value to the residents of the City of Warrenton;
- D. Recommendations of new, or review and recommendations of changes to policies concerning the selection, care, removal or sale of marina waterborne and landside assets;
- E. Recommendations for the purchase and development of properties, equipment, or services necessary to meet project or service goals;
- F. To host or sponsor events to attract business and grow revenues at the marinas;
- G. Recommendations to other boards for collaborative efforts in projects, programs, or events;

- H. Recommendations for attracting public-private partnership opportunities as necessary;
- I. Recommendations for maximizing the value accessibility of the marinas to all residents of the City.

### **Article III**

#### **Membership & Meetings**

##### Section 1. Membership

The Committee shall consist of five members nominated by the Mayor and appointed by the City Commission per its rules.

- A. The Committee shall contain at least one professional mariner, one member at large, and one commercial fishing user.
- B. Terms of office shall be staggered as follows:
  - 1) Positions 1 through 3 shall expire at the end of 2023;
  - 2) Positions 4 through 5 shall expire at the end of 2022
- C. All members appointed thereafter shall serve a term of 2 years and may be reappointed to consecutive terms as set forth by the City Commission's Policies and Procedures for Citizen Boards.
- D. Members shall adhere to all City of Warrenton rules and regulations in regards to, but not limited to attendance, conduct, and procedure.

##### Section 2. Meetings

The Committee shall meet at least quarterly and at a regular time, place, and interval (if more frequent) as set by its membership at the first meeting of the year.

- A. All meetings shall be made available to the public, and publicly noticed on the City Meeting Calendar online.
- B. The Committee may move its meeting location in order to conduct field visits or trips within the City.

##### Section 3. Officers

The Commission has appointed a chairperson for the first year of the Committee's existence. The members shall, at its first meeting, appoint a vice-chairperson to act as presiding officer in the absence or incapacitation of the chairperson. Thereafter the committee shall appoint its own officers pursuant to the applicable City of Warrenton policies and procedures for citizen boards.



Exhibit "B"



# Policies and Procedures For Citizen Boards

City of Warrenton

1<sup>st</sup> Edition

By: Henry A. Balensifer III

Published 2021

## **Chapter 1 Introduction:**

**Brief:** Thank you for your willingness to be involved in your city government! Citizens, like yourself, provide the basis of much of the policy and development decisions within our city. The City Commission has placed faith in you to provide it with recommendations and input on what is best for Warrenton. You have been selected to provide a citizen-based sounding board for advice and recommend policies.

## **Chapter 2 The Role of Appointed Boards within Local Government:**

### **2.1 Supremacy of the City Commission, Purpose of Boards**

The City Commission is the final authority for deciding policy, budgetary, and legislative matters within the city. It has created many citizen boards to ensure transparency in government and to channel the ideas and energy of citizens interested in particular issues. Citizen boards are to advise on issues of importance to the City Commission or develop plans or projects as necessary or directed to by the City Commission. If they lack clarity on city policy or direction, they should request a clarification from the City Commission via the Mayor and/or the City Manager.

#### ***2.1.1 Staff Support***

City staff, when provided to support a board, is made available at the discretion of the City Manager or Commission policy via the board's chartering resolution. Staff operations are not controlled by the appointed board, unless otherwise approved by the City Manager or otherwise provided for in a definitive policy passed by the City Commission.

## **Chapter 3 Constituency**

### **3.1 Constituency Defined**

Merriam Webster's Dictionary defines constituency as "a body of voters in a specified area who elect a representative to a legislative body." While that is very specific, a "constituency" is generally thought of a body of people one represents and/or is accountable to. While every board appointee should act in how they feel is best for the community, they do not have a constituency other than the City Commission. Board Appointees should not accept nor confuse their role with having the burden of representing all citizens within the community. They are nominated by the Mayor and confirmed by the City Commission, and thus are held accountable to and can be removed by the City Commission at will. The City Commission is the only municipal board within the City that is accountable to voters by elections or recalls.

This is said to relieve the pressure some appointees feel about sitting on the board. While some boards may get angry speakers/citizens demanding something, they should always weigh the demand with their authority to decide, and the laws and policies of the city in place at that time. In most cases, boards have only advisory authority and as such should consider their recommendations as policy ideas and their effect on the community writ large. When in doubt, a board should notify the City Commission via a formal recommendation voted on by their full board or submit inquiries through their chairperson to the

City Commission via the Mayor. Individual board members should feel free to contact the City Manager and/or Mayor and/or Commission liaison (if there is one) relating to questions of policy or procedure at any time.

## **Chapter 4 Conduct**

### **4.1 Service**

Board members serve at the pleasure of the City Commission. Members, while acting in their appointed capacity or using their titles, should exercise caution in public remarks and refrain from disparaging their fellow board members or the City Commission on the record, on social media, or to the news media.

### **4.2 Recommendations**

The City Commission desires to hear from its boards often. When a recommendation is made by a board and forwarded to the City Commission it is customary and encouraged for the chairperson to deliver the recommendation to the City Commission. If the chairperson is not available, then the vice-chairperson. While the City Commission recognizes everyone is volunteer, the quality of the recommendation is greatly enhanced when Commissioners can directly engage with the board. The Mayor shall always recognize the board chair or vice-chair to deliver the report. See Appendix A for recommendation template.

#### ***4.2.1 Right to Dissent***

On all boards, when a recommendation is made or decision rendered, members have a right to file a letter of dissent to be forwarded with the formal recommendation to the city commission for the record. This letter should clarify the reasons why they disagree with the recommendation. The letter must be written within 5 calendar days of the recommendation/decision but may be required sooner if the recommendation will be considered at a City Commission meeting sooner than 5 days. See Appendix A for an example.

Members who oppose recommendations may speak during the public comment period as a private citizen but are not entitled to recognition during the presentation of the board's recommendation (unless they happen to be the one presenting the board's recommendation). The purpose of appointed boards' recommendations is to have the merits of a recommendation vetted before proposing it to the City Commission.

#### ***4.2.2 Process of Forwarding***

All letters of dissent shall be included with the board recommendation it pertains to. If a letter is turned in after said packet is published, it shall be included in the Commission Drop Box, and/or printed and provided for the meeting.

### 4.3 Attacks

Conduct that attacks someone personally may lead to suspension, censure, or removal from a board.<sup>1</sup> Members should attack ideas and policies—not people on the board, city commission, or members of the community personally. Creating a hostile environment on the board, or the chronic inability to separate personal issues from professional decisions/positions may result in the dysfunction of the board and suspension or removal of the offending appointee(s). Strong disagreements on matters of policy are not a basis for creating a hostile environment. Impugning the character or motivations of a member of the board or staff or abusing parliamentary procedure to the point meetings become secondary to the procedures being inflicted upon the board are examples of creating a hostile environment.

### 4.4 Good Conduct

Good conduct can be summed up with a general rule of thumb: debate ideas, not personalities; and do whatever you can to preserve the public trust in the institution of local government. If you cannot respect the person you are debating, respect their position as a board member of equal standing and value. Members should fight for what they believe in, however they should not impugn another person's character or cast aspersion on motives. The only right another committee member has to challenge another board member during a meeting is to call out an ethics violation or a conflict of interest that has gone undisclosed or is otherwise improperly handled.<sup>2</sup> See the "Conflicts of Interest" section of this publication for more information. Committee members may not attack or make comments that impugn, harass or haze another. Spirited debate that focuses on the issue and not the person is not considered harassment or hazing.

All members should respect the authority of the chairperson. The chair's job is to ensure order and fairness in the meetings. If a chair is failing to ensure order, fairness, or the rights of members as prescribed in parliamentary procedure, members may declare a point of order or use parliamentary procedure to correct the deficiency. If the board has lost confidence in the chairperson, the board may move and vote to declare the chair's position vacant and appoint a new one. No member should take personally the use of parliamentary procedure to end a non-germane discussion. Likewise, no member should have their time wasted by non-pertinent discussions. Conversely parliamentary procedure can be abused to the detriment of the board and/or waste time. This is why it is so critical for board chairpersonships to not be taken lightly, nor be on an automatic "rotating" basis which may require persons ill fitted to the role or unwilling to take on such responsibilities to be the presiding officer.

### 4.5 Public Trust

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<sup>1</sup> City Commissioners cannot be removed from office except for violations noted in the City Charter.

<sup>2</sup> Improper handling includes participating and/or voting on a decision by a member who has an actual conflict. City and Planning Commissioners are responsible for knowing and obeying Oregon ethics laws and administrative rules, as well as any city ordinances that are in effect pertaining to ethics, corruption, and conflicts of interest. See [Oregon Ethics Commission](#) website for more information.

The sole purpose of City Government is to serve its citizens. The power to decide items affecting the lives and possessions of its citizens are entrusted to the City and as such the office of any person within city government be it employee, elected, or appointed, are offices of public trust. It is therefore the responsibility of all government officials to protect that trust by taking great pains to avoid even the appearance of impropriety as much as possible.

No official has the right, or power to make promises related to the boards they serve on without the prior consent or delegation of authority from that board. The Mayor is only one of 5 votes and the chairs of each board have solely one vote per person. Making such promises not only compromises the integrity of the office to which one has been sworn or appointed to, but also create a deficit in the public trust and should be avoided.

#### 4.6 Conflicts of Interest

It is the personal responsibility of all members to disclose conflicts of interest both perceived and actual before the discussion of the agenda item has begun. The proper disclosure method can be in two ways: 1.) during a public hearing, when the chair asks if any members have conflicts of interest to disclose or 2) ask to be recognized as soon as the agenda item comes up and disclose then (only if not a public hearing or the chair fails to ask if anyone has a conflict). When disclosing, the member should state both the conflict and nature of the conflict. This should occur *after* the hearing is opened and before the staff report or discussion has begun. If the conflict is perceived, and not actual, the member in question is *required* to state whether they believe the conflict clouds their perspective and that they believe they can be fair and impartial. Legally, the chair must accept the member's answer at face value. However, if a non-conflicted member of the board requests the recusal of the conflicted member, it is considered courteous for the conflicted member to recuse themselves from at least the vote, but not required. Specifically, the full board reserves the right to determine if a member is able to partake in the discussion or vote of a question in which a conflict exists, should that person refuse. If a member of either the Planning or City Commission have an *actual* conflict of interest the proper procedure is for them to recuse themselves from the meeting for that particular item, refrain from partaking in the discussion, and customarily step outside of the meeting room. Once the item is decided or public hearing closed, the conflicted member is to be invited back into the meeting to participate normally.

##### *4.6.1 Failure to Declare*

If a member of the planning commission fails to declare an actual conflict of interest, or refuses to acknowledge an actual conflict of interest, and this is brought to either staff's or the City Commission's attention and verified—that member may be suspended from voting and/or attending future meetings by the Mayor, until such time as the City Commission conducts a review of the circumstance and makes a decision regarding censure or removal from the board.

#### 4.7 Dress Code

People have a right to express themselves however they feel. While it is not a requirement, the City respectfully requests that all elected and appointed members dress in a manner appropriate to and respectful of the office or position they hold.

## **Chapter 5 Board Sizes and Attendance Regulations**

### **5.1 Board Positions to Ensure No Tie**

All city boards shall comprise of an odd number of persons who may vote. If the appointed membership reaches an even number, the chairperson shall not vote. The board size rule does not apply to subcommittees formed by an appointed or elected board but is highly recommended.

### **5.2 Preparation Required, Right to Accommodations**

Serving on a city board is an office of public trust. As such, it requires all members to be as engaged as possible, which requires prior study of meeting materials, familiarity with relevant plans and documents related to the meeting materials and regular attendance. While it is understood board members are volunteers—many with day jobs—absences are to be avoided as much as possible. When circumstance requires, members who cannot attend in person should participate remotely. Those membership should notify staff of the need or desire to do so and coordinate with city staff to ensure the setup of the conference call or videoconferencing system if they require such accommodation. For members with disabilities, they have a right to reasonable accommodations as well.

### **5.3 Chairpersons, Officers, Sizes**

Boards that comprise of 3 persons are to have only a chairperson. They are not considered to constitute a quorum without full attendance of the board due to their size.

Boards that comprise of 5 or more persons are to have a chairperson and a vice-chairperson. A quorum of these members will consist of a simple majority of voting appointees.

A quorum exists when a majority of appointees are present. Vacant positions on the board do not count towards determining a quorum.

### **5.4 Absences**

An excusable absence is noted if the member is ill or injured, has a medical procedure or family death/emergency, or a professional requirement. A professional requirement is considered a work trip, meeting, or other unavoidable requirement of their profession/employment. Absences that could have been avoided are not excusable, with the singular exception of being pre-approved before their appointment to the board.

Non-excusable absences include but are not limited to: trips that can be scheduled around such as vacations or non-urgent personal trips, forgetting the meeting date/time, or a desire to not attend that

meeting or vote on a difficult matter. The Commission, in weighing a pattern of absences, may determine failure to notify staff or the board chair of an absence that was not related to an emergency in which a person could have called or notified of their absence is unexcused.

Below are rules related to tolerable number of absences. Unexcused absences are explicitly listed. If the absence is general, it is a combination of excused and unexcused in aggregate.

- Members of boards that meet quarterly may not have more than 3 unexcused absences in 2 consecutive years.
- Members of boards that meet every other month may not have more than 2 unexcused absences in a year period, or an aggregate of 3 absences in a year period.
- Members of boards that meet monthly may not have more than 4 aggregate absences within a year and may not have more than 2 consecutive unexcused absences in a year period.

Because board chairs are critical positions requiring a greater attention to the details of the meeting, board chairs are held to a higher standard than regular members for attendance and should endeavor to attend all meetings. Chairs should not miss more than 2 meetings a year. This higher standard only applies to their position as chair.

\*The Mayor, by notifying the City Commission, or the City Commission by formal action, may retain the right to keep members on a board despite attendance history or planned absences in order to find suitable replacements to the board, at which time they will be relieved of their appointment and a replacement appointee shall take their place.

## 5.5 Children/Family Policy to Enable Attendance

It is the official policy of the City of Warrenton to encourage and promote the inclusion of community members with children to serve on boards. Persons with children bring a much-needed perspective about the ease of use of public facilities and the suitability to meet current needs of children and families.

Members may bring their children to meetings provided they do not inhibit the business before the board. Wide discretion is given to chairs to work out reasonable accommodations for members who are new mothers, and members with children. If an accommodation can be made for in person attendance it shall be made, and if not—then technological accommodation must be made to ensure their participation.

### *5.51 Abuse, Prohibited Activities*

The city is not a childcare provider and accommodations for children should not be a license to create significant disruption to the meeting. Children should not deface public property, or otherwise create a safety or property hazard to themselves, others, or the meeting space.

## **Chapter 6 Parliamentary Procedure and Chairpersons**

### 6.1 Parliamentary Procedure

Parliamentary procedure, also known as rules of order, ensures the orderly transaction of business and respectful debate of ideas within a committee or board. Additionally, it ascertains the will of the majority, while securing the rights of the minority to be heard and participate in a decision. Boiled down, parliamentary procedure is a code for civility and common sense within a deliberative body. Meetings should begin promptly if a quorum exists and adjourn promptly after the conclusion of business or if such time is fixed. While board members can range from young professionals to retirees, it is important to not waste anyone's time and to stay on topic. The City's appointed boards are all comprised of wholly uncompensated volunteers, many of whom have professions and must sacrifice either professional time or family life to serve the city. Chairs must weigh the needs of a full and fair debate of ideas with the time constraints of an entirely volunteer board. Particularly verbose members who have a tendency to talk off topic or wander on tangents not before the board or germane to the item on the agenda being discussed should not feel slighted when the chairperson cuts them off and redirects the discussion to what is at hand.

Most appointed boards observe relatively relaxed parliamentary procedure. This is generally OK, and due to the fact most boards do not have legal authority to decide questions before it. The only boards that require relatively strict adherence to parliamentary procedure and legally scripted motions is the Planning Commission and Budget Committee. Nevertheless, boards shall try to follow parliamentary procedure as best they can. Chairs have a right to expect that staff will provide scripts to read to guide any legal proceedings if such a script is required for that meeting.

## **6.2 Chairperson/Presiding Officer**

Every year, each board will elect amongst themselves a presiding officer known as a chairperson. If the board is large enough, it will appoint an officer whose duties are to preside over the meetings when the chairperson is unable. Presiding officers will not take office until the first meeting of the next calendar year. The board can appoint a chairperson-elect at any time during the year before October. The October requirement is solely to ensure adequate time for the newly appointed chair and vice-chairpersons to attend chairperson training. This appointment should not be taken lightly and must be taken willingly. "Rotation" of board chairs is not acceptable if it falls upon a member who does not desire the position or is unwilling to take the training and responsibility it entails.

### ***6.21 Training Required***

Board chairs are required to receive training on parliamentary procedure and their board charter in order to ensure they can run effective meetings and understand the policy nuances and legal requirements of their board. Failure to attend chairperson training before the first meeting of the calendar year their term as chairperson commences will disqualify them from eligibility to serve as chairperson until they complete the training unless the prior chairperson is no longer on the board.

### ***6.22 Exemptions***



The Mayor may grant a temporary exemption, provided the City Commission is notified at the next regular City Commission meeting with a timeline for remediation of the training deficiency or a request for a waiver. A waiver must note the reason and have the consensus of the City Commission to go into effect. Valid reasons include, but are not limited to, prior training and demonstrated knowledge of procedure and the respective board charter.

## Chapter 7 Planning Commission

### 7.1 Quasi-Judicial Status

The Planning Commission is the only board where non-elected citizens may decide items with legal finality and without Commission intrusion unless the decision is appealed or is Legislative. In this way, the Planning Commission acts like a jury. This is why many Type III land use decisions are considered “quasi-judicial.” Additionally, the Planning Commission is tasked with knowing the development code sufficiently to anticipate if it needs changing to ensure safe, orderly, and livable circumstances within the city. Its first function is to decide land use matters before it, but its second role (and just as important) is to advise the commission on the applicability of the development code to the current time and community needs. It bears repeating that while the Planning Commission has great power, it still serves at the pleasure of the City Commission as does every other appointed board within the City.

### 7.2 Required Reading

Planning Commissioners must read and be *familiar* with the following documents within their first year:

- Warrenton Comprehensive Plan
- Warrenton Municipal Code Title 16: Development Code
- Warrenton Community Vision Plan
- A parliamentary procedure manual as designated by the City Commission
- Anything referred to the Planning Commission by staff or the City Commission, or reading necessary to decide a matter before it.

Planning Commissioners should possess and read within their first year of membership the following:

- Any existent Urban Renewal Plan
- Transportation Systems Plan

Planning Commissioners should possess so as to read or reference as needed:

- Hammond Marina Master Plan and Updates
- Warrenton Parks Master Plan
- Other plans issued as reference material, and which will inform a matter before the board.

### 7.3 Ethics and Policies of the City, Compliance

Planning Commissioners are subject to the same ethics laws as City Commissioners in relation to gifts and ethics disclosures. Planning Commissioners are personally liable for filling out Statements of Economic Interest and filing them with the Oregon Ethics Commission. As appointees the City Commission reserves the right to remove Planning Commissioners before their term ends for cause such as, but not limited to: ethics infractions (state or municipal), incompetence, failure to abide by rules and regulations of boards, and/or negligence. If the city commission issues a directive related to the policy of the city, planning commissioners are expected to reply with a product that satisfies the directive. If the majority disagrees with such a directive or policy direction, it may do so and report their reasons in writing, but they may not ignore commission directives and “sit” on directives.

## **Chapter 8 Required Library of References**

### 8.1 Required Library and Availability

The City shall have available at all time in the Commission Chambers, one printed copy of the reference documents listed in Chapter 7, and any other documents that may be useful to any board that serves the city.

## **Chapter 9 Non-Appointed Persons**

### 9.1 Subcommittees within a Board

Boards may create their own subcommittees that involve non-appointed members to help capture outside expertise required to further develop concepts or policies they are exploring. However, any person that is not appointed shall only vote on issues within the subcommittee and shall not be eligible to vote on any issue or decision before the full board. All subcommittees must include and preferably be chaired by an appointed board member. Subcommittee chairs do not need to attend chairperson training but may receive it upon request. Subcommittees formed by the appointed board may *not* vest decisions to a subcommittee, only recommendations. The formation of a subcommittee and roster of members must be reported to the Mayor by the chair of the board prior to the seating of the subcommittee.<sup>3</sup>

## **Chapter 10 Conduct**

### 10.4 Right to Challenge Impartiality

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<sup>3</sup> If the Mayor or staff has concerns about the creation of a subcommittee, they may refer the matter to the City Commission which may, at their discretion override the creation of such subcommittee or provide it with specific direction, appointment suggestions, or boundaries of scope and time.

During quasi-judicial/Type III public hearings, it is the right of citizens to challenge the impartiality of City Commissioners and Planning Commissioners (regardless if a conflict has been declared). At the outset of the hearing, the presiding officer should ask the public in attendance if anyone wishes to challenge the impartiality of any member, at which point the member(s) of the public shall rise and state their name and address for the record and reason for challenging the impartiality of the commissioner. The commissioner is required to either step down from participating in the decision or respond for the record to why they believe they will remain impartial for the hearing. If the presiding officer fails to ask, the public has a right to approach the City Recorder, City Attorney, or City Manager's desk during the meeting and inform them of their wish to challenge—at which time staff should inject a point of order in the proceedings. If the person is disabled, they or their interpreter/or ability assistant may simply just shout out "Challenge" at the beginning of the hearing, to which the presiding officer must recognize them to state the commissioner and reason for challenging their impartiality. The challenged board member has a right to refute any challenge for the record. Members of the public may not otherwise interrupt the meetings and presiding officers have no requirement to recognize members of the public simply trying to participate without recognition to speak during the appropriate time.

If they do not challenge the impartiality of the member at the start of the hearing, they may not interrupt mid-hearing, but may file a written challenge with the City Recorder who will submit it to the City Attorney to determine if the decision would have been materially altered had that affected individual participated or not, and if in fact there was a breach of ethics. The challenger shall receive a response to their challenge once a determination is made.

## **Chapter 11 Discipline**

### **11.1 General Meeting Conduct & Attendance**

In general, the more authority a board has, the more legal responsibility members have as individuals.

If a member fails to meet the required attendance requirements, willfully damages public trust, fails to disclose conflicts of interest, or refuses to obey rules set forth by the board or City Commission, or if the board chair or staff reports a member as abusive or disrespectful, the offense shall be reviewed and if true, the offending member may be censured, suspended, or removed from the board for cause.<sup>4</sup>

Provided the issue is clear and present, the Mayor may issue a censure in writing and place members on suspension until the City Commission can either end the suspension, continue it for a definitive amount of time, or declare that board member's position vacant. The City Commission retains, as a body, full discretion under state and city law, over its boards and appointees. The mayor must provide notice to the City Commission before the City Commission's next regular meeting or the suspension is

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<sup>4</sup> The Mayor may suspend the offending member from participating on the board. This does not prohibit the member from attending meetings but does prohibit them from participating or voting. The Mayor must notify the City Commission of the reason for the suspension in writing as soon as practicable, but no later than 3 days after the suspension is in effect, or by the next commission meeting—whichever comes sooner. The Commission may formally end the suspension and reinstate the member, or if it finds the offenses warrant removal it may do so by declaring the position vacant.

automatically lifted. At all times, the Mayor must keep the Commission apprised of disciplinary actions taken unilaterally within two days of the action. Such actions should be reserved for flagrant violations such as flagrant ethics violations or abuse of office.

An example of a clear and present issue would be if a planning commissioner votes on their relative's variance application or a board chairperson calls another member a racial slur or viciously defames the character of a member personally during a public meeting and refuses to apologize. In both cases the Mayor will have likely relied on staff or a formal complaint. The Mayor may not censure or suspend members on undocumented reports. It requires a formal complaint in writing from an aggrieved party or report from staff which will be made available to the City Commission.

The Mayor is under no obligation to act unilaterally and may bring the issue(s) for the commission to consider. The general custom of the City is for most decisions to come before the city commission en banc, and to limit mayor/unilateral actions for the most egregious cases which will significantly harm the public trust or function of the board, or when the city's safety and welfare is threatened.

If a chairperson is incompetent, unable, or unwilling to follow or enforce parliamentary procedure, any member of the board may make a motion to declare the position of chair vacant and if such a motion passes, call for nominations of a new board chair. Once the position is declared vacant, the vice-chair would preside over the meetings until a new chair can be selected. If the board lacks a vice-chair, the board chair will remain in their position until a new chair is elected. The only board this does not apply to is the elected City Commission, because the Mayor is directly elected by the voters.

## **11.2 Conduct Outside Meetings**

Board members shall not attempt to intimidate, coerce, or otherwise pressure any staff member to become familiar to them by social media, uninvited house calls, or through gifts that would violate state ethics laws. Appointed members who visit staff homes uninvited to discuss a city matter can be subject to immediate suspension and potentially dismissal.

Board members are expected to be good examples of citizenship. They should refrain from using their title or position on a city board outside of meetings or official business.

### ***12.21 Assumption of Innocence***

In general, the City Commission reserves the right to appoint or vacate appointments at their pleasure and for no reason. However, board members are given the right to be innocent until proven guilty for the purposes of removal for cause.

### ***12.22 Resignation or Removal***

If a board member's criminal infraction or media attention becomes a distraction to the work of the board or significantly erodes public trust in the city that member is encouraged to resign and focus on themselves, and/or can have their position vacated by the City Commission.

## **Chapter 12 Rules of Order**

### **12.1 Official Rules of Procedure/Order**

Historically, the City of Warrenton has loosely followed Roberts Rules of Order; adapting them to its own uses over the years. The most eminent difference from Roberts Rules and the City's adapted rules of order is that the City rules of order do not require a motion to take up items already on the agenda. All members are required to read the City of Warrenton Rules of Procedure. See the latest version of the *City of Warrenton Rules of Procedure* for more.

### **12.2 Votes, Consensus, Recommendations**

When in doubt, the board should always hold a formal vote. This clarifies the record in the minutes and ensures a formal importance to whatever course the board decides.

### **12.3 Consensus**

Presiding officers shall not make policy recommendations by consensus, but by votes. Consensus decisions should be relegated to informal items, direction to staff, items of a perfunctory matter or to help achieve agreement on parts of a larger recommendation. However, recommendations forwarded to the City Commission shall have been voted on.

Appendix A: Board Recommendation Template (w/ example content)

## City of Warrenton Board Recommendation

January 21, 2021  
Parks Advisory Board

**Summary:**

The Parks Board has created a list of recommendations for generating revenue and suggests prohibiting smoking in parks.

**Fiscal Impact** (if any/known):

There are no fiscal estimates at this time.

**RECOMMENDATION(S):**

*(Recommendation Unanimous)* See attached for revenue generation concepts.

*(Recommendation 5-2)* The board has received complaints of smoking near smoke sensitive persons watching children's ballgames. It also feels that smoking is increasingly not desirable around children and those with respiratory issues. State law already prohibits smoking 25' from a building entrance for these reasons. It recommends a prohibition on smoking in Quincy Robinson Park. *(1 letter of opposition attached).*

Respectfully Submitted,

Jane Eyre  
Chair

**RESOLUTION NO. 2590**

INTRODUCED BY: All Commissioners  
**APPOINTING PERSONS TO FILL POSITIONS  
ON THE WARRENTON MARINAS  
ADVISORY COMMITTEE AND SETTING  
TERMS OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Marinas Advisory Committee Members and their terms of office are as follows:

Position No. 1	Pam Ackley	term ending 31, December 2023
Position No. 2	Kevin Dunn	term ending 31, December 2023
Position No. 3	Malcolm Cotte	term ending 31, December 2023
Position No. 4	Lylla Gaebel	term ending 31, December 2022
Position No. 5	Mike Balensifer	term ending 31, December 2022

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this 9th day of February, 2021.

**APPROVED:**

\_\_\_\_\_  
Henry A. Balensifer III, Mayor

**ATTEST:**

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Dawne Shaw, City Recorder